

FARMINGTON CITY PLANNING COMMISSION
JUNE 20, 2019

STUDY SESSION

PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Russ Workman, Rulon Homer, Shawn Beus, Mike Plaizier; Community Development Director David Petersen, Associate Planner Meagan Booth

Excused: Commissioner Shawn Beus and Roger Child

3. Ken Stuart/Stay Farmington – Applicant is requesting a final plat approval for the Haight Creek Subdivision consisting of 70 townhomes on 9.21 acres located north of Haight Creek, west of I-15, and east of the Denver and Rio Grande Western Rail Trail at approximately 1525 Burke Lane in the OMU (Office Mixed Use) zone. (S-18-18)

David Petersen stated that this item has been held up due to a 20' gas line easement. The line is being relocated but the easement takes time to vacate. The estimated time provided by the gas company to the applicant is October 2019.

4. Kamico LLC/John Saltzgiver (Public Hearing) – Applicant is requesting to rezone .21 acres of property from a R (Residential) to a R-2 (Multiple Family Residential) zone, located at 161 E 1470 S in order to construct a duplex on the property. (Z-3-19)

David Petersen stated that this item may be controversial. Many potential buyers showed interest in this lot when it went up for sale. The applicant has the lot under contract and would like to change the zoning from single family in order to build a duplex. There are other attached dwellings in the neighborhood which are grandfathered in so the use may fit in fairly well in the neighborhood.

Greg Wall expressed concern that 200 East (SR-106) is a busy State Route, on which driveways should be spaced 330 feet apart per UDOT. There is an existing driveway very near to the 1470 south intersection already and adding two new accesses onto 200 East for this duplex probably won't get UDOT's approval. He expressed favor in keeping the zoning as is and only allowing a single family home on the lot. **Russ Workman** asked if tabling the motion until UDOT can be consulted regarding the driveway spacing would be appropriate; or if approving the item with an added condition requiring UDOT's approval would be preferred. **Dave Petersen** said that since this is a rezone, the Planning Commission can recommend either option, but the City Council has final say. He stated that on a busy road, a rental duplex may be a good use.

The commission discussed the issue of affordable housing as a duplex on this lot may present two affordable units.

5. Val Halford /The Sons of Union Veterans of the Civil War (Public Hearing) – Applicant is requesting a conditional use permit approval for a statue to be placed at the Farmington Historical Museum at 110 N Main Street in the (OTR) Original Townsite Residential Zone. (C-8-19)

This item was pulled from the meeting agenda in order to gain further historical understanding of Lot Smith.

REGULAR SESSION

PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Russ Workman, Rulon Homer, Shawn Beus, Mike Plaizier; Community Development Director David Petersen, Associate Planner Meagan Booth

Excused: Commissioner Shawn Beus and Roger Child

Connie Deianni opened the meeting at 7:00 P.M.

Minutes:

Connie Deianni announced the changes to be made to the June 6th Planning Commission meeting minutes. ? motioned to approve the minutes as amended. **Amy Shumway** seconded the motion, which was approved by unanimous vote.

City Council Report:

David Petersen said that a new Finance Director has been chosen for the City, which was announced in the City Council meeting. The City Council discussed the TDR's for the Flatrock Ranch subdivision and expressed issues with the proposed open space park underneath the power lines.

The Planning Commission discussed TDR's (Transfers of Development Rights) in order to better understand and determine when they should be considered and approved in reference to subdivision applications.

The State Liquor Store will be erecting a building next to the Driver's License Division. This item was brought to the Planning Commission and staff several months ago. The City in general was not in favor of the liquor store but because it is a state entity, the City is unable to deny the store and it will begin construction soon.

3. Ken Stuart/Stay Farmington – Applicant is requesting a final plat approval for the Haight Creek Subdivision consisting of 70 townhomes on 9.21 acres located north of Haight Creek, west of I-15, and east of the Denver and Rio Grande Western Rail Trail at approximately 1525 Burke Lane in the OMU (Office Mixed Use) zone. (S-18-18)

Background: On September 18, 2018, the City Council approved the schematic subdivision plan, and development agreement and project master plan for the Haight Creek Subdivision. The Planning Commission approved the preliminary plat for the project on January 24, 2019. The next step in the process is Final Plat approval for this subdivision.

Applicant **Ken Stuart** came to the stand. He said that the surveyor comments are being addressed by the engineer but there shouldn't be any other outstanding items in regards to this application. They have obtained the required permissions from entities such as Weber Basin for the trail and parking.

Greg Wall asked if the Civil Engineer has concerns about the surveyor comments. **Ken Stuart** said he did not believe so because the comments were pretty minor.

Greg Wall asked how the process of vacating the easement required for phase 2 was going. **Ken Stuart** said that Dominion Energy has a gas line running through the park. They must flush the system then abandon the easement. This should be done by the end of July but they have until October to finish, per the agreement.

Ken Stuart reviewed the temporary access easement that will run through the field to the South of the property until stub roads are connected with future development. This was required by the fire department in the preliminary phase of the subdivision.

Amy Shumway asked for clarification regarding the existing and proposed trails. She asked if the trail will be cleared along the creek. **Ken Stuart** showed the trails and stated that the Army Corps of Engineers has control of the trail along the creek and they would have to be the entity to fix the trail in that area and it would be a huge process.

Motion:

Amy Shumway moved that the Planning Commission approve the final plat for the Haight Creek Subdivision, subject to all applicable Farmington City Ordinances and development standards as well as the conditions and findings as outlined. **Russ Workman** seconded the motion, which was unanimously approved.

Conditions:

1. The following outstanding DRC Comments must be addressed by the applicant prior to recording:
 - a. Haight's Creek is under Davis County jurisdiction, the applicant must obtain a flood control permit from the county and meet all their conditions thereto.
 - b. Any improvements being installed outside of Farmington City limits will need to be approved by Kaysville City and a letter from Kaysville given to Farmington approving them.
 - c. Address all outstanding surveyor comments.
 - d. Recommendations must be obtained from all entities including outcome of Benchland Water Districts Board Meeting and required improvements.

- e. Phase 2 will require a separate application, acknowledgement letters and review.
- f. The applicant shall label the trail easement as public throughout the project and continue the trail easement on Phase 2.
- g. This project is part of a Project Master Plan not a PUD. PUD should be removed from all documents.

Findings:

1. The Final Plat is consistent with the Schematic Plan and Preliminary Plat and Project Master Plan and related findings.
2. The applicant must meet all requirements of the Development Agreement.
3. The proposed plans are consistent with the General Plan.
4. Phase 2 will occur once the 20-foot Right of Way Easement of Mountain Fuel Supply Company is abandoned. Phasing adjusted to accommodate construction of buildings outside of the easement.

4. Kamico LLC/John Saltzgiver (Public Hearing) – Applicant is requesting to rezone .21 acres of property from a R (Residential) to a R-2 (Multiple Family Residential) zone, located at 161 E 1470 S in order to construct a duplex on the property. (Z-3-19)

Background: The property owner, K.H. Kambouris is requesting a recommendation to rezone .21 acres of property from R (Residential) to R-2: Multiple Family Residential at 161 E 1470 S (Kambouris Lane) in order to construct a duplex, or two family dwelling, on the property. The use is consistent with the surrounding properties as there are several attached dwelling units in existence on the street and have been grandfathered therein. However, in order to construct a duplex, the applicant is requesting to rezone the property to be consistent with the land use of the zone.

Dave Petersen introduced the item. He stated that there are single family and R-2 zones adjacent to this property. A zone change requires that the Planning Commission find the change reasonably necessary. It must be in the public interest, and it must be consistent with the Farmington City General Plan. He said that the use currently on the property is an old storage building which is not consistent with the other residential uses along the street; however, a single family home could replace the storage building which would not require a zone change. The Farmington City Master Plan shows low density residential in the area, which the proposed change could be considered consistent with.

Applicant **Don Saltzgiver**, Bountiful UT, said that his first thought was to convert the existing storage building into a home but due to the sale price of the lot and the conditions of the existing building, constructing a duplex on the lot is the most cost efficient option. He said that the rendering he presented to the City was a rough draft and does not yet address all the setbacks and other considerations for the zone. His realtor said that there is about a \$25,000 value difference between an R-1 zoned lot and an R-2 zoned lot.

Greg Wall asked which direction the duplex would face. **Don Saltzgiver** stated that he would be open to building whatever design would be allowed on the lot. Greg Wall said that UDOT may not allow the entrance onto 200 East because of their separation distance requirement. He suggested placing the driveways on 1470 South. **Don Saltzgiver** said he would be open to that.

Roger Child asked if the goal is to build the duplex and rent the two units out. **Don Saltzgiver** said that he plans to rent the units out to his college age children in the near future and eventually keep them as rental properties or sell the duplex.

Public Hearing:

Connie Deianni opened the public hearing at 7:46 PM. With no comments, the public hearing was closed at the same time.

The Planning Commission discussed building height requirements for the proposed zone, as well as fencing.

Regarding the requirement that rezones must be in the public interest, **Amy Shumway** noted that over half of the units in the neighborhood are multi-family units. Staff received an email from the neighbor directly west stating their opinion that there is enough multi-family housing in the area. She asked if emails like this are enough reason to say that this is not in the public interest.

The Planning Commission discussed their various opinions about changing zoning simply for the purpose of making land more valuable. On one hand, changing uses and zones simply at any given owner's requests may not be good planning practice, but on the other end, landowners have the right to utilize property as they see fit as long as the proposed use adheres to municipal code.

The Planning Commission discussed moderate income housing and how this item may relate. Creating affordable rental units on this property may provide two much needed affordable housing units. The State is requiring cities to create moderate income housing plans by the end of 2019, so affordable housing is an important topic throughout the State. Mr. Saltzgiver was willing to explore affordable housing for this property but the property owner (who was present at the meeting) Degio Kambouris was not.

Motion:

Russ Workman motioned that the Planning Commission recommend that the City Council approve the zoning map amendment for .21 acres located at 161 East 1470 South from LR to R-2, with the findings 1-3. **Amy Shumway** seconded the motion, which received 2 votes against and 4 in favor. The motion carries.

Findings:

1. The proposed rezone is consistent with the General Plan because a two family dwelling is considered a low density residential use.
2. The proposed rezone is consistent, and will enable a compatible use with the surrounding properties and adjacent neighborhoods.
3. The subject property constitutes Lot 2 of the Aegean Village Subdivision Plat "A" recorded July 21, 1977. A non-conforming semi-dilapidated garage/storage building exists on the site. The 2 applicants proposed duplex will replace this non-conforming use and will help clean up the site if the property is zoned R-2.

5. Val Halford /The Sons of Union Veterans of the Civil War (Public Hearing) -- Applicant is requesting a conditional use permit approval for a statue to be placed at the Farmington Historical Museum at 110 N Main Street in the (OTR) Original Townsite Residential Zone. (C-8-19)

This item was pulled from the agenda, therefore not discussed.

Adjournment:

At 8:30 p.m., **Roger Child** motioned to adjourn the meeting. **Russ Workman** seconded the motion, which was unanimous and the meeting was so adjourned.



Connie Deianni

Planning Commission Chair